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March 12, 2008

To the Federal Communication Commissioners:

Please accept the following comments on your proposals to:

1. Require main studios to be located in the city of license.
2. Require station facilities to be staffed 24 hour a day while in operation.
3. Require stations to give community groups free time.

I am Doug Wilber, a small market broadcaster operating two low power AM radio stations located in Lorain County Ohio, 35 miles west of Cleveland. My family has owned WOBL 1320am, a 1000 watt highly directional station licensed to the city of Oberlin Ohio since the day it was built and went on the air 12/24/71. We operated it for 29 years as a stand-alone facility. This is important to this comment. In 2002 we acquired WDLW 1380am and non-directional 500 watt daytime, 57 watt nighttime station that is licensed to the city of Lorain Ohio. This station was extremely distressed and plans to take it off the air due to its lack of profitability were in place. I'm proud to say I rescued it and it is on the air today serving the community because of our intervention.

We operate high quality community involved radio stations. I have live people on the air from 5am until 6pm or 11pm depending on the time of year. We operate both stations reasonably profitably and pay fair wages. I have three full-time news people that supply the news to both stations and the focus of that news is local. We air high school sports, both boys and girls and have a very active intern program. Many of our personalities have gone on to meaningful employment in radio in Cleveland, Akron and Cincinnati.

With regard to rescinding your policy the main studio to be moved outside of the city of license; I would not have purchased the distressed station, WDLW if I could not have moved it 12 miles south of Lorain and combined it with the facilities I operate WOBL from in Oberlin Ohio. It's been my experience that a stand-alone facility is very difficult to operate profitably. My family did it for 29 years but those were different times and I could see the writing on the wall. I was not going to be able to generate sufficient revenue from one radio station to provide quality programming and pay for the necessary overhead. I was already considering the possibility of selling WOBL or turning it off if I could not combine it with another station to share expenses because as a standalone it could not support itself as anything other than a bare bones operation. That would have left Lorain County with potentially two less radio stations that truly do serve the community.

If you do reconsider the issue of allowing the moving of a main studio, you could consider placing a limit on the numbers of stations that can be combined. I think a limit of four would be a reasonable number.

With regard to mandating a staffed facility 24 hours per day: if we were required to do that, we would not broadcast 24 hours a day. That would increase our annual cost by a minimum of \$25,000 per year and there are many years that would be the difference between operating at a profit or loss. We operated 24 hours per day for many years but we paid minimum wage and in most cases got minimum wage quality people. This was the most difficult position to staff not only because of the pay, but overnight people often felt disenfranchised from the rest of the staff and turnover was very rapid...usually less than 12 months. Many of our potential hires were young adults freshly out of broadcasting schools or college and it was not unusual that they lived at home and their parents would not let them work the overnight shifts since they would be by themselves.

The loss to the community if we signed off every night would be:

1. Reduced choice of formats. In the cases of both our stations, we offer the only outlet in our market for our types of formats if you consider only terrestrial radio.
2. I believe listenership is reasonably significant overnights since we operate in a Midwest industrial area and there are quite a few third shift operators in manufacturing and healthcare. However, most of my advertisers prefer their ads to air between 5am and 9pm so we use overnights to air many PSAs and community announcements. Even though they run overnight, they still reach a large number of listeners and have an impact. These would not be aired in the quantity they are if we were not on the air.

There have been few, if any times in my 27 years in this business that any emergencies occurred that our being fully staffed overnight did make or would have made a significant difference. My news staff comes in between 4am and 5am most days and that has proven to be sufficient to inform the community of local emergencies which tend to be weather related. Also, our EAS system is operational and set to automatically interrupt our programming when an announcement is issued regardless of whether there is a person on the air or not. However, one alternative to full-time staffing might be to allow stations to have an "on call" person who would field forwarded calls to the news department and be responsible for initiating a response during the hours that stations are not staffed.

With regard to requiring stations to give air time to community groups. I do not think this is unreasonable as long as you do not place onerous guidelines or its implementation and reporting and allow us some control over message content. What constitutes a community group? Would we be required to give any group (ie Neo-Nazi or KKK, etc.) equal access? I'm quite proud of the Public Service programming we do. We track it by entering most of the public service announcements we provide to the community as if they were "paid" orders complete with the name of the organization, address and value of each announcement. This allows us to track and have a record of what Public Service we have done. We also cost it out as if they were paid orders and we have found that between our two

stations last year we gave a combined total of over \$500,000 in Public Service Announcements to the community. That's roughly \$250,000 per station. (Our typical 30 second commercial runs \$19.50 so this resulted in the equivalent of more than 25,000 commercials!) That's roughly one third of all commercial time we ran.

We do this for several reasons:

1. It serves the community
2. It keeps us in tune with what needs the community has
3. It keeps us in front of the community and its leaders
4. It helps justify our presence in the community
5. It involves the community in our programming
6. It helps make us relevant to the community

Summary

I'm 51 years old and have been in broadcasting all my working life except for a short time right out of college when I work at a small weekly newspaper. I worked in big markets for a few years and small markets for the rest of the time. By imposing upon the broadcast industry the regulations you are considering you are in danger of putting small market broadcasters like myself out of business. **Every rule you impose that costs money is likely to close down some small market operators.** Many of us are hanging on by a thread. Please consider that when you consider policy changes. I am a very high quality operator that, I think, does radio the way you would like it done. It wouldn't take much to make me throw in the towel.

By requiring the main studio to be located in the city of license you would be creating a lot of "stand alone" small market radio stations that cannot support themselves with only one signal. By making me separate my operations I would be forced to sell (and who wants a low power stand-alone AM radio station?) or shut down. Assuming I shut down, Lorain County would lose over \$500,000 of community support that my stations contribute. Isn't this exactly the opposite effect you are trying to achieve?

Also, local retailers in this market would lose. My two stations are very effective at generating increased traffic for my advertisers. If I shut down they would have fewer marketing options available to them. Sure, they could use Cleveland radio stations at ten times the cost, but few of them could afford that and the size of their ad schedules would be insignificant when competing with regional and national advertisers. Right now, national chains dominate the major medias, local businesses need local stations like ours to have an outlet to compete. It would be a mistake to underestimate the importance of this point.

However, some of the huge radio groups do need some regulation. They exploit the system not in the name of survival but in the name of greed. Your challenge is to figure out ways of managing them without putting small broadcasters out of business.

When it comes to 24 hour a day staffing, automation is not a bad thing if it's used responsibly. And the definition of responsibly changes according to the market and circumstances. By mandating a staffed facility whenever we are on the air including overnights and all day weekends, you would be making small market broadcasters

choose between being on the air or saving money. I'm a good operator and I cannot afford an additional full time employee that does not generate revenue.

I've found community service is good for us as well as the community. Frankly, I fill a niche abandoned by most of the other operators in my market both small and large. I know I give more to the community than you will ever mandate me to give, and I'm proud of that. In turn, the community has responded positively in recognizing our value and thereby supporting us. Give us guidelines but please don't tell us how to do public service.

Thank you for this opportunity to comment on your proposed rule making. I hope you find the above comments helpful.

Sincerely,

Douglas B. Wilber
President
WOBL Radio, Inc.
WDLW Radio, Inc.